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CERTIFICATE OF MAILING

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Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below:

Daniel B. Schein

Daniel B. Schein, Ph.D., Esq., Reg. No. 33,551

May 19, 2006

Date of Signature

Our Case No.: 10437-69

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

FUKUNAGA et al.

Serial No.: 10/777,772

Filing Date: FEBRUARY 12, 2004

For: BREATHING CIRCUITS HAVING
UNCONVENTIONAL
RESPIRATORY CONDUITS AND
SYSTEMS AND METHODS FOR
OPTIMIZING UTILIZATION OF
FRESH GASES

Examiner: Erez, Darwin P.

Group Art Unit No.: 3731

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on the attached Form PTO-1449 be considered by the Examiner and made of

record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.


In accordance with 37 C.F.R. § 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

This Information Disclosure Statement is being filed prior to the receipt of the first Official Action reflecting an examination on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are due in connection with filing of this Information Disclosure Statement since all documents submitted herewith or listed on the attached Form 1149 are being submitted within three months of being cited in a related foreign patent application.

Applicant(s) respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,

May 19, 2006
Date


Daniel B. Schein, Ph.D., Esq.
Registration No. 33,551
Attorney for Applicant(s)

Schein & Cai LLP
100 Century Center Court
Suite 315
San Jose, CA 95112
Tel.: (408) 436-0789
Fax.: (408) 436-0758



FORM PTO-1449	SERIAL NO. 10/777,772	CASE NO. 10437-69
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (use several sheets if necessary)	FILING DATE 2/12/2004	GROUP ART UNIT 3731
APPLICANT(S): Fukunaga et al.		

REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	83	5,002,050	03/26/91	McGinnis	128/203.11	2/7/89
	84	4,676,239	06/30/87	Humphrey	128/203.12	7/17/86
	85	4,453,543	06/12/84	Kohnke et al.	128/205.12	09/01/80

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES	NO
	86	WO 98/26710	19/12/96	Patent Cooperation Treaty			
	87	WO 01/08736 A1	08/02/01	Patent Cooperation Treaty			
	88	EP 0 982 044 A2	26/08/99	European Patent Office			
	89	EP 0 982 044 A3	26/08/99	European Patent Office			
	90	EP 05 07 7222	8/3/06	European Patent Office - Search Report			

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.